



St Helena
Government

MINUTES

Land Development Control Authority Meeting

Date : Wednesday, 13 January 2021
Time : 10 am
Venue : The St Helena Community College, Jamestown

Present	Mrs Ethel Yon OBE	Chairperson
	Mr Paul Hickling	Deputy Chair
	Mr Raymond Williams	Member
	Mr Karl Thrower	Member
	Mr Gavin George	Member
	Mr Ralph Peters	Member
	Mr Ismail Mohammed	Chief Planning Officer (CPO)
	Mr Shane Williams	Planning Officer (PO)
	Mrs Karen Isaac	Secretary
Apologies	Mr Gerald Yon	Member

Also in Attendance Seven Members of the public, including Applicants and Objectors.

1. Attendance and Welcome

The Chairperson welcomed all present, thanked members for attending and wished everyone a Happy New Year and said that she hoped 2021 would be a better one.

2. Declarations of Interest

There were no declarations of interest to declare.

3. Confirmation of Minutes of 2 December 2020

The Minutes of meeting of 2 December 2020 were confirmed and signed by the Chairperson.

4. Matters Arising from Minutes of 2 December 2020

Any Other Business

Application 2020/87 – Rehabilitation of Field Road and Side Path Road – Part of Jamestown and Ruperts Valley - Programme Management Unit

This Application was reported to Executive Council on 18 December 2020. Exco approved the application with minor changes to Condition Five in that twelve months be given and not six months as stated in the Traffic Management Plan.

Application 2020/90 – Change of Use from Dwelling House and Storage Building to Tavern – Marble Hall, Half Tree Hollow – Adrian J Greentree

Members noted that an appeal had been received against Condition Four of the Decision Notice.

5. Building Control Activities/Update

Members were given a list of Building Control Activities for the month of December 2020 for their information.

6. Current Planning Applications

LDCA Members were given a list of current development applications. There were 23 applications awaiting determination at the time of preparing the Agenda. Some are awaiting further information whilst others are in the consultation period or being addressed.

7. Applications for LDCA Determination

1)	Application 2019/80 – Proposed Retention of the Widening of the Existing Road – Alarm Forest – W A Thorpe & Sons The CPO presented this application. The site falls within the Green Heartland Zone with restrictions on built development. The Application is to retain the Widening of the Existing Road. The meeting was informed that this unauthorised development came to the attention of the Planning Officers in 2019 when works had been completed. The landowner was informed that prior to undertaking these works development permission should have been sought and was advised to submit a retrospective development application. The application was submitted with very little information and the applicant had been requested to provide more information in support of the works that had taken place, this should include any photographic evidence of the appearance and condition of the road.	
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The main reason for the delay in reporting this application to LDCA was primarily to obtain the required information from the applicant and this had not been forthcoming. However the application is now reported with the information provided and the photographic assessment from the applicant. The Access Road upgraded and widened has changed the appearance of the road within this landscape.

The development has been assessed against the Green Heartland Zone and Road and Transport policies of the LDCP. The development undertaken do not accord with the Green Heartland Zone and related policies in respect of the nature of the development and its impact on the landscape. The upgraded road appears very prominent in the street scene with no photographic evidence to show the appearance of the road originally. However the visual impact of this upgraded access road in the landscape is considerable. This road serves just one property.

No issues have been raised by the Stakeholders and no representations were received. The CPO highlighted that the options are limited as the development had already been completed before the submission of a development application and if the Authority agrees to grant approval to retain the development as undertaken, it would be considered to be the least disruptive in respect of the landscape. If however, the Authority is of the view that the development as undertaken is harmful to the landscape, then there is the option to refuse and thereby the owners would be instructed to return the appearance of the access track to its original state. Whilst it was noted that no trees were removed for the widening, there was a scar to the landscape where widening had taken place. It was mentioned that as this is private land, the Applicant perhaps might not have been aware that permission had to be sought. It was stressed however that the Applicant should have enquired if development permission was required before undertaking these works. A question was asked whether the Applicant would consider some form of compensation as a benefit to the island considering that the development was undertaken without the requested permission. It was pointed out however that the Company had previously gone some way in giving some land to the St Helena National Trust for conservation work. It was also stated that there are issues with regard to the LDCP that does not make clear the need for development permission for some operations. The LDCP is under review and these issues should be looked at.

It was agreed that the Applicant should be informed in writing of the consequences when carrying out development without permission. The Authority, after considering this, agreed to approve the application.

	<p>Resolution: The application for retention of the Widening of the Existing Road and upgrade as undertaken was approved. A Decision Notice to issue.</p>	CPO
2)	<p>Application 2020/71 – Proposed Variation to Application 2019/37 (Extension to form Two Bedrooms and a Bathroom) – Lower Sapper Way – Sara Thomas</p> <p>The PO presented this application. The site falls within the Intermediate Zone and has no Conservation Area Restrictions. The application is for an Extension to form Two Bedrooms and a Bathroom. It was noted that in April 2019 an application was received and approved to convert the Standalone Storeroom into a Bedroom, Toilet and Bathroom. The Applicant has now requested some changes to the building where there would be an increase in the footprint in respect of the length and the width of the Building. The scope of the proposed changes were considerable and this could not be considered as a Minor Variation to previous permission and a new application for approval was required. The comments received from the Roads Section were noted. The Environmental Health conducted a dye test to determine if effluent present on the main road was a result of a possible ineffective soakaway on the developer’s property. Tests confirmed that this soakaway was not the cause of the problem, therefore Environmental Health was content for the application to proceed. The proposed development complies with the LDCP policies.</p> <p>Resolution: The Application for Proposed Variation to Application 2019/37 (Extension to form Two Bedrooms and a Bathroom) was approved with conditions as recommended by the PO. A Decision Notice to be issued.</p>	PO
3)	<p>Application 2020/84 – Proposed Installation of Two Prefabricated Sheds – Near the Rock Club, Half Tree Hollow – Gavin Peters</p> <p>The PO presented this application. The site falls within the Intermediate Zone with no Conservation Area Restrictions. The application is to site Two Small free-standing Prefabricated Sheds to store household goods. The applicant had considered a number of sites for this proposal and was advised that their locations were not suitable for free standing Sheds. During pre-application discussions the applicant was advised that this particular site was not one that Planning Officers would support for this proposal. The applicant however decided that he would still wish to proceed. The comments received from the Stakeholders were noted. There were representations to this proposal from a number of neighbours concerned on the impact of the proposed development in this neighbourhood and that this small area should be left undeveloped. It was further noted that the area is quite open and the proposal is not in compliance with the LDCP policies. The proposal would have some visual impact on the landscape of this neighbourhood and was considered to be detrimental to the general amenity of the residential</p>	

	<p>neighbourhood and in particular the visual impact of the landscape. No justification was received as material consideration from the applicant and the recommendation was for refusal. The Applicant was allowed to speak. It was asked how many people objected to this proposal and it was stressed that between seven and eight. Mention was made of the Container Park that lies close by to this site where these Sheds could be sited but it was highlighted that the Container Park is full to its capacity.</p> <p>Resolution: The application for Proposed Installation of Two Prefabricated Sheds was refused as recommended as the proposed development would have adverse impact on the amenity of the neighbourhood as well as visual impact on the landscape and is contrary to the LDCP policy. Also the Sheds are not related to an Existing Building or a defined curtilage of a building. A Decision Notice to be issued.</p>	<p>PO</p>
<p>4)</p>	<p>Application 2020/75 – Proposed Installation of Safety Rails to the Entrance Steps – Entrance Steps to Reception, Castle Building – St Helena Government</p> <p>This Application was deferred from the meeting of 2 December 2020 for alternative options to be considered. The CPO provided a further report where it was highlighted that details of other design options were sought from the applicant. Further assessment of other design options to comply with the guidance for safety handrails that are more appropriate were undertaken also. The CPO advised that the design and features of the building entrance, in particular the level of the height of the external wall to the steps, as discussed in the 2 December 2020 LDCA meeting is the best design option to respect the integrity of the historic building. The CPO also said that the design should be a simple one.</p> <p>Mr Pearce spoke on behalf of the St Helena Heritage Society.</p> <p>In considering further, the Authority reiterated that the railings could still be installed on the right hand side with a timber finish to the top.</p> <p>The meeting was informed that the proposed design and details of the Safety Rail to be installed were to ensure that it did not detract from the original appearance and that it respects the Heritage and Architectural quality of the building. It is in compliance with the Built Heritage Policies of the LDCP.</p> <p>It was stressed that a design must be looked at so that it would work for everyone and if members agreed to this proposal, then the CPO would discuss with the applicant, a design that is simple and would insist on a timber base finish to the top of the railings and also to reduce the number of uprights.</p>	

	<p>The Authority requested that the CPO send them an email to confirm that the design issues expressed by them have been met by the Applicant.</p> <p>Mr Andrew Pearce interrupted the Members discussion to say that at the last planning meeting when this was discussed, the Authority agreed that the Heritage Society could be involved in respect of the re-design. The Chairperson informed him that a decision has been made. The Authority is appointed by HE the Governor and they have a duty to exercise the provisions of the law and their policies.</p> <p>Resolution: The application for Proposed Installation of Safety Rails were approved with conditions as recommended by the CPO, subject to the applicant refining the design in respect of having a simple design to include a timber finish to the top of the rails and by reducing the number of uprights. A Decision Notice is then to be issued.</p>	CPO
5)	<p>Application 2020/77 – Proposed Construction of a Prefabricated Steel Building for Drainage Depot including minor Earthworks for access and Construction of the Base Slab and also a Vehicle Turning area – Red Hill Treatment Plant Work Site, St Pauls – Connect St Helena Ltd</p> <p>The CPO informed the meeting that in 2019, soon after he arrived on the island, he received an application for this site which was for the installation of three buildings. The applicant then withdrew the third building from that application.</p> <p>This application was deferred from the meeting of 4 November 2020 for a site visit that was carried out. From the site visit Members requested further assessment of the proposal and the capacity of the operation of the Depot in respect of the various uses and its operation of the land. The applicant provided further information on its use and operational needs and also included photographs to highlight their requirements.</p> <p>The CPO said the proposal is in compliance with the objectives of the LDCP policies that are applicable for this development. The site abuts the Green Heartland Zone and it would be appropriate to consider those policies that would be applicable in respect of this proposal. It would also be appropriate to consider the visual impact this development would have on the landscape. The material consideration that are set out in the November Report are relevant and unchanged. The proposal is to utilise an area that can best meet the needs of the depot operation. It is not in conflict with development plan policies and the material consideration could be given a reasonable amount of weight in its assessment as the operation has been long established on this site. The need for an additional building to support the operations cannot be</p>	

met elsewhere on the site. It is not considered to be detrimental to the amenity of the area although there would be some visual impact to the landscape and could therefore be supported with the addition of a condition requiring a landscaping scheme in order to strengthen the landscaping on the eastern boundary. The recommendation remains the same for approval.

Mr Andrew Pearce was given permission to address the meeting on behalf of the St Helena Heritage Society.

Members were not in support of the recommendation as they considered that some elements of the plans were misleading. The contour lines were not taken into account and Members again requested 3D drawings for assessment. Concern was also expressed of the cut and fill that would be required to enable the building to be constructed and given the steep slope, it would be difficult to provide the landscaping. It was stressed by the CPO that if members approved this proposal then a condition could be imposed for landscaping.

From the issues raised by Members the applicant in attendance was requested to clarify the issue in respect of the plans and drawing to enable a better understanding. The applicant provided some explanation to clarify the issues raised.

Mr Andrew Pearce interrupted the discussion and was advised by the Chairperson that the explanation of the issues by the Applicant are for the benefit of the Members.

The Authority could not approve the recommendation of the CPO and therefore the decision was again deferred for the applicant to submit revised plans on the basis of what was discussed at this meeting in respect of the contours and the siting of the Building and the visual impact. It was mentioned that the applicant should engage with GIS. The applicant, who was in attendance agreed further work was required to the Plans.

Resolution: The decision on the application for Proposed Construction of a Prefabricated Steel Building for Drainage Depot including minor Earthworks for access and Construction of the Base Slab and also a Vehicle Turning area was again deferred for the applicant to supply revised plans as discussed with the Applicant.

CPO

8. Approvals by CPO under Delegated Powers

There were no Development Applications dealt with under Delegated Powers by the Chief Planning Officer.

9. Minor Variations Approved by CPO

The following Four Development Applications were approved as Minor Variations by the Chief Planning Officer. As normal practice key Stakeholders are approached when and where needed for Minor Variation Evaluation.

1)	<p>Application 2019/85/MV1:</p> <ul style="list-style-type: none"> – Requested : Minor Variation – Proposal : To alter the Access to the development site (to use the Historic Track used by Basil Read prior to Haul Road Construction) – Location : Deadwood Plain Site – Applicant : PASH Global – Official : Ismail Mohammed, CPO – Approved : 9 December 2020
2)	<p>Application 2020/41/MV1:</p> <ul style="list-style-type: none"> – Requested : Minor Variation – Proposal : Alteration to the CFS Building (relocate external entrance door slightly to allow for internal reconfiguration and move of WC) – Location : Lower Rupert's Valley from Haytown House to Rupert's Lines – Applicant : Programme Management Unit – Official : Ismail Mohammed, CPO – Approved : 9 December 2020
3)	<p>Application 2020/58/MV1:</p> <ul style="list-style-type: none"> – Requested : Minor Variation – Proposal : To increase the Height of the Timber Fence to 1.6m – Location : The Briars – Applicant : Cheryl and Morgan Morice – Official : Ismail Mohammed, CPO – Approved : 9 December 2020
4)	<p>Application 2016/54/MV1:</p> <ul style="list-style-type: none"> – Requested : Minor Variation – Proposal : To reposition the Sewage Treatment Plant away from the Rupert's Line Structure – Location : Treatment Plant Site at Rupert's Bay, opposite Fisheries – Applicant : Connect St Helena Ltd – Official : Ismail Mohammed, CPO – Approved : 10 December 2020

10. Discharge of Conditions by CPO

1)	<p>Application 2020/41/DC5:</p> <ul style="list-style-type: none"> – Requested : Discharge of Condition Five (Partial) – Proposal : Method Statement Archaeological Assessment – Location : Lower Rupert’s Valley from Haytown House to Rupert’s Lines – Applicant : Programme Management Unit – Official : Ismail Mohammed, CPO – Approved : 4 January 2021
2)	<p>Application 2020/41/DC5:</p> <ul style="list-style-type: none"> – Requested : Discharge of Condition Seven – Proposal : Alignment of the diverted Foot path – Location : Lower Rupert’s Valley from Haytown House to Rupert’s Lines – Applicant : Programme Management Unit – Official : Ismail Mohammed, CPO – Approved : 4 January 2021

11. Strategic Planning Matters

1)	<p>Rupert’s Valley Development Plan</p> <p>The CPO reported that there has been no further progress. This item is part of his workload.</p>
2)	<p>Conservation Area Management Plan</p> <p>On hold. The Chairperson advised that this should continue as an item on the Agenda until finalised. This item is part of the CPO’s workload.</p>
3)	<p>LDCP Review</p> <p>The CPO reported that there are some issues regarding the LDCP review. A meeting is scheduled to take place on 14 January 2021 to discuss. The CPO was unable to give a definitive date as to the completion of the LDCP review.</p>

12. Any Other Business

Application 2019/48 – Proposed Pet Care Centre – Merrimen’s Forest – Rodney Yon

This application was presented to Executive Council on 18 December 2020 and was deferred as concern was expressed regarding noise pollution. The applicant was informed accordingly and mitigation measures would be sought to overcome this.

13. Next Meeting

The next LDCA Meeting is scheduled for Wednesday, 3 February 2021.

The Chairperson thanked Members for their attendance. The meeting closed at 12.00hrs.

Signed by the Chairperson of the Authority, as a true reflection of the Meeting.

Chairperson to the LDCA

Date